

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ANTHONY CADE,

No. 2:20-cv-02172-SU

Plaintiff,

ORDER

v.

ONTARIO SCHOOL DISTRICT
NO. 8C,

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Patricia Sullivan issued a Findings and Recommendation on May 13, 2021, in which she recommends that the Court grant Defendant's motion to dismiss. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, the Court is relieved of its obligation to review the record *de novo*. *United States v.*


Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

CONCLUSION

The Court ADOPTS Magistrate Judge Sullivan's Findings and Recommendation [10]. Accordingly, Defendant's Motion to Dismiss is GRANTED. Plaintiff's Complaint is dismissed with leave to amend. Plaintiff may file an amended complaint within fourteen (14) days of this order. If Plaintiff fails to file an amended complaint within that time frame, the Court will enter a judgment of dismissal without prejudice without further notice.

IT IS SO ORDERED.

DATED: June 18, 2021.



MARCO A. HERNÁNDEZ
United States District Judge